

Application Serial No. 10/010,304
Amendment dated September 8, 2009
Reply to final Office Action dated July 30, 2009

REMARKS

Claims 6-8, 10, 28, 33-48 and 52-57 are pending and stand rejected. The specification has been amended. Reconsideration of the rejection is respectfully requested in view of the following remarks.

Applicant respectfully submits that the specification amendment is fully supported. More specifically, the reasonable reader can see that the word should be "solvents" instead of "polymer" because the example already states the polymer of the example as being a "siloxane-based, macrodiol aromatic polyurethane." Further, the twelve liquids listed in the Table are not polymers, but rather are "solvents", at least in the sense that the present application uses that term: a liquid that dissolves or swells solid polymer. A further clue that the word should be "solvents" and not polymers—is that the word or phrase at issue is stated by this paragraph as belonging to a "solvent group". Thus, the instant specification amendment does not constitute "new matter", as it merely corrects an editorial error, Applicant respectfully submits.

Applicant respectfully submits that the amendment may be made at this stage of prosecution. Specifically, the amendment will be shown to place the application into allowance or better form for appeal. Further, no claims are being amended.

Claim Rejections - 35 USC §112

Claims 6-8, 10, 28, 33-48 and 52-57 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Applicant respectfully submits that the instant specification amendment renders this rejection moot. Specifically, the amended specification now makes it clear that the Example does not feature twelve unknown polymers, but rather a single polymer, namely, "a siloxane-based macrodiol, aromatic polyurethane, supplied by Aortech Biomaterials", as indicated in the first two lines of the Example.

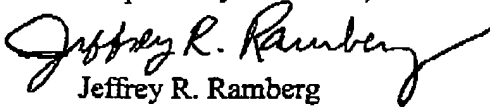
Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In view of the above remarks, Applicant respectfully submits that the present application is in condition for allowance. Accordingly, Applicant respectfully requests issuance of a Notice of Allowance directed to claims 6-8, 10, 28, 33-46, 48 and 52-57.

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Should the Examiner deem that any further action on the part of Applicant would be desirable, the Examiner is invited to telephone Applicant's undersigned representative.

Respectfully submitted,


Jeffrey R. Ramberg
Reg. No. 34,700

September 8, 2009

c/o Kensey Nash Corporation
735 Pennsylvania Drive
Exton, PA 19341
Tel: (484) 713-2140
Fax: (484) 713-2909